

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA

Western DIVISION

Samson, Robert M.

v.

NO. 5:19-cv-443-BD

COMPLAINT

State of North Carolina
Office of Attorney General

Plaintiff resides at:

200 Shannon CT
Swilburg md 21104

Defendant(s)' name(s) and address(es), if known:

North Carolina State Attorney General
Office

Jurisdiction in this court is based on:

The State of North Carolina can not be sued for this matter in my State Federal Court Due to Constitution law involving protecting the state of North Caroling being embarrassed in another Federal Court Jurisdictional State

The acts complained of in this suit concern:

Constant violation of Constitutional Civil rights against Robert M. Samson since August, 17, 2010 thru now & still occurring but in my legal opinion with Serious Intent by Abuse of Power by the NCSBT

Please See Attached Complaint

(If you need more space, or wish to include any further information for consideration, please attach additional sheets.)

I seek the following relief:

\$ 350,000.00

10-5-19

DATE



SIGNATURE OF PLAINTIFF

200 S. Ames CT
Salisbury md 21804

ADDRESS AND PHONE NUMBER OF PLAINTIFF

vs

The State Of North Carolina

1 Now the matter comes before the United States District Court of North Carolina in my strong legal opinion that North Carolina Attorney Generals office of Josh Stein, Governor Roy Cooper not to exclude NCSBI, Deputy Chief Counsel Joy Strickland, Sampson County sheriffs office {Mary Avery}, Sampson County District Attorneys Office Earnie Lee, Jennifer Barnes, and Robert Thigpen have been involved in violation of my constitutional civil rights as United States Citizen beginning August 17, 2010 and is still occurring and on going.

2 I Robert Michael Samson am bringing this lawsuit against North Carolina and all entities stated above for the following facts and legal opinions that on or around August 17, 2010 I was wrongfully registered as a sex offender not to exclude the fact I have not been back and forth to North Carolina jurisdiction since March 3, 2011 and in fact that I feel in my strong legal opinion there may be many others who's constitutional civil rights have been or are being violated for the fact that they don't Reside, work as a non-resident worker, or are a non-resident student any longer in North Carolina.

3 Around August 17th 2010 I Robert Samson contacted the Sampson county sheriffs office and spoke to a Mary Avery and told her I am wondering if where I was going to be visiting my mother with my son and be back and forth to Maryland my residential state and that I was on the registry in Maryland for a conviction from the state of Kansas, Mary Avery said YES I had to register with them as where I was going to be in their jurisdiction that it is the same as residing under the North Carolina law. I was registered under the statute of 14-208.7 which is the North Carolina reportable conviction statute on August 17th 2010. I signed and acknowledged the registry requirements and what is called the duty to register for offenders. On March 3, 2011 I re-registered with Maryland Wicomico County sheriffs office as I never knew that legally and technically I always under the law was never to register with the Sampson county sheriffs office to begin with.

4 It was discovered around March 2012 I was wrongfully placed on Maryland's

registry back in 2004 when I was initially registered by Worcestor County sheriffs office and I was removed from the Maryland registry.

- 5 On or around March 3, 2011 Sargent Robert Carter of the Sampson County sheriffs office IN FACT notified NCSBI and informed them Robert Samson was back in Maryland Wicomico County and no longer in North Carolina. I now will state a lot of facts and findings in this legal matter Regarding this lawsuit for the following of legal opinions.

I in fact mailed letters in January 2019 to Josh Stein the Office of the Attorney General for North Carolina and Roy Cooper the Governor of North Carolina to inform them of what was occurring with me and have not received a response to this day from those letters.

January 2019 I discovered that I was on the National FBI Sex Offender Registry due to North Carolina by a prominent employer. I immediately began looking into this matter and contacted a Lisa Britton at NCSBI and miss Britton in fact told me that I was on the North Carolina registry. I explained in my legal opinion that its unconstitutional for this to be occurring and miss Britton told me that there are 3,500 others who don't live, work or go to school in North carolina that are on the North Carolina registry. I then begun my legal research on my own and discovered in my strong legal opinion that I was being done legally wrong in this matter. I immediately begun contacting North Carolina attorneys and also did legally threaten NCSBI thru via email to state my legal opinions and that I should of been removed from their registry back in March of 2011 and I received a letter on or around February 18th 2019 from a Joy Strickland and was announced in her letter thast she is the deputy chief general counsel for the NCSBI registry unit. Her letter stated some statutes and the petition process to be removed from the registry by superior court and the statute is 14-208.12A. I looked up the statute and retained Randy Doffermyre for 1,800.00 of Dunn NC to help me. Mr. Doffermyre went to the District attorney for Sampson County to discover that you cant petition the superior court until ten years from initial registry date was over. I immediately hired Dysart Willis law firm in Raleigh NC. In the amount of 5,000.00 and after four months the Dysart Willis firm stated they didn't think they would be succesful due to the ten year statute requirement. I legally argued with them that the ten year statute is for those who have been registering constantly with the sheriffs Office while residing in north carolina and after ten years then they can petition the court to be removed, that I don't fall under the statute as I don't live in North Carolina and only registered once with the sheriffs office and that I am only in the north carolina registry website and that none of the statute has been being done by me due to not being in north carolina since March 2011. I legally state

this was very much a mental hardship upon me as serious monies had been paid to allow legal counsel represent me with in the law and the best of their ability. I then decided to file my own petition case number 12 CRS 1012 to the District Attorneys office of Sampson County North Carolina. I went to court on August 14th I Robert Samson was in a court proceeding to be removed from the registry in front of Assistant District attorney Robert Thigpen and the Honorable Judge Henry Stevens the 3rd. I legally argued that WHEN I LEFT NORTH CAROLINA THE STATUTES OR LAWS NO LONGER APPLIED TO ME FOR NOT BEING IN NORTH CAROLINA SINCE MARCH 3 2011 and that the statute was and is only for those who reside in north Carolina. Judge Stevens stated on record that he wanted me to come back on the 15th of August where I could prove to him that the statute gives him authority to remove me from the registry. Robert Thigpen legally stated that he spoke to a professor Jamie Markham and Lisa Britton and I immediately said thats hear say your honor and that in my strong legal opinion I knew way more than Robert Thigpen knew about this legislation and he is the Assistant District attorney representing the state. So I returned to the superior court on August 15th 2019 and did in fact prove to judge Stevens that he was granted authority to remove me under the statute as I gave him the duty to register that had the language of 14-208.12A on it. I was put on the stand to testify my legal facts and arguments and to answer question from the Judge, and Assistant District Attorney Robert thigpen had the Nerve to ask me WHY DIDN'T I PUT THE LAWS WHEN I FILED MY PETITION, my answer was that's your job not mine. He also asked me if I was in contact with the Department Of Justice in Washington DC. Wow!! Judge Stevens held the matter and petition under a 30 day advisement. Its my strong legal opinion Robert Thigpen committed INCOMPETENCY in a court of law as an Assistant District Attorney representing the state and he violated my constitutional rights in the court proceeding as in my strong legal opinion he is in fact wrong and I am totally correct with my legal arguments that were stated in the court and on record. Court transcripts will prove that justice was to no avail by the Sampson County Superior Court. On or around September 10th 2019 I received Judge Henry Stevens DENIAL of my petition regarding 14-208.12A and case number 12 CRS 1012 and it clearly states that I was denied due to the following,

- 6 1} That petitioner is not entitled to relief requested pursuant to North Carolina General statute 14-208.12A
- 7 The Judges denial findings also speaks of a Representative Jimmy Dixon and the court thanks him for his constant support of the court system. I legally argue that

this is hearsay and I wasn't given the legal right to question Jimmy Dixon myself and I also legally state with serious respect of who Mr. Dixon is but that he is **LEGALLY WRONG** on his opinion regarding this matter.

- 8 On or around September 14th it has been legally discovered I was in fact wrongfully registered as a Sex offender by the Sampson County sheriffs office Mary Avery back on August 17th 2010 due to the legal facts of never did I become a legal resident under the statute of 14-208.7 in the state of North Carolina.
- 9 I now state that I find in my strong legal opinion that the following in this law suit of serious wrong doing by the state of North Carolina not to exclude the other Government entities that have been stated in this complaint.
- 10 In 2009 of April the general assembly clearly stated involving the statute of 14-208.12A on page ten at the bottom of the page that a person may petition the superior court in the district **WHERE THE PERSON RESIDES** to be removed from the registry requirement. This is the legislation year for which represents legally the form that I signed called the duty to register on August 17th 2010. **BUT** no where does the statute say anything about the language, **IF RESIDING OUTSIDE OF NORTH CAROLINA, I MAY PETITION THE SUPERIOR COURT IN THE NORTH CAROLINA COURT WHERE I LAST RESIDED.** But NCSBI typed this language in what is called the duty to register why referencing to the statute of 14-208.12A, In my strong legal opinion that it is illegal for a Government entity to change the actual language of the statute when they are using it to reference to a actual statute of law for the purpose of the Sheriffs offices in the state to understand what the statute of law says and not to exclude I legally find that this falsely tells offenders of what the statute really says passed by the North Carolina General Assembly. It is a fact that the language **WHERE THE PERSON RESIDES** to be removed from the registry is the current language in the statute of 14-208.12a and it **DOES** not say what NCSBI has been in my strong legal opinion putting out there for others and the Sheriffs offices of North Carolina and its my strong legal opinion that this is illegal and violates the law of North Carolina and not to exclude is a serious **ABUSE OF POWER** by the agency.
- 11 Although I may not be an attorney I find the following in my strong legal opinion the following, I Robert Samson is wrongfully on the NCSBI Sex Offender Registry and have been since August 17th 2010 and the **NATIONAL SEX OFFENDER REGISTRY** and I find that this was and is being done illegally by the

state of North Carolina and the Government entities that have been stated in this law suit.

12. I find that the following of damages and compensation to be paid to me for in my legal opinion for the state of North Carolina wrong doing which in my strong legal opinion has been conducted with INTENT however very unconstitutional should be \$350,000,000 due to the following.
13. I strongly believe in my legal opinion that my constitutional civil rights have been in fact violated by the state of North Carolina and all the government entities as stated in this law suit.
14. That there may be a lot of others wrongfully on the NCSBI Sex Offender Registry that do not Reside, work as a non-resident worker or a non-resident student any longer and not to exclude the National FBI Sex Offender Registry due to the North Carolina State Bureau Of Investigation registry unit in Raleigh North Carolina as the Sex Offender Registry website is linked to the National Registry to where once you are placed on the North Carolina Sex Offender registry your automatically uploaded to the National Sex Offender Registry, I feel in my legal opinion that this should be legally challenged on a basis of only to be proper for individuals who have been deemed as a predator by a federal court. I also state that it has been a very serious hardship upon me and my family and not to exclude very much serious stress upon my health that has been caused by what I feel is and has been illegally occurring by the state of North Carolina and the entities of Government that have been mentioned in this law suit.
15. That this legal matter has been very disparaging to my name, my picture, and my personal information to the entire United States eyes to be able to see. This has been very much a mental anguish upon my life, and my entire family and could of caused or cause me to lose custody of my children to the other biological parent. This also could of caused serious harm to me, my children and my family. I legally also state that no one who made a mistake 21 years ago should never have to go thru this or anything like this and that everyone is entitled to proper and real legal justice with out any government agency to abuse their powers to wrongfully violate anyone's constitutional civil rights like I feel has been occurring to me and not to exclude others.
16. I will factually state that I do have legal facts to back up my bringing this lawsuit against the State Of North Carolina and evidence of discovery will show this

without any doubt. Also I legally notified the office of the Attorney General Josh Stein of my legal intent to sue North Carolina on or around August 20th 2019 and do have the certified mail green card from their receipt of my legal intent to sue letter I mailed certified mail by United States postal mail.

I also feel in my strong legal opinion that what's been and still occurring is a case of FRAUD against the federal government due to the monies North Carolina receives or has been receiving for individuals on their registry list and this has been occurring possibly longer than just the time frame that I have been on the registry in North Carolina. I also feel very strongly that this has caused Judge Henry Stevens the 3rd in Sampson County superior court to have had no choice in August to deny my petition and I feel he was set up later down the road as the NCSBI has been Fraudging the federal government with their so called languages of the statute of 14-208.12 that was IN FACT prepared by NCSBI and this is called the duty to register which was given to all the sheriff offices of North Carolina and it caused my petition to be wrongly in his court and he was forced to be involved in violation of my civil rights due to the FRAUDULENT game that is being played in my legal opinion in Raleigh North Carolina. Further more I conclude this lawsuit that in my strong legal opinion that myself and a whole lot of others have been used to defraud the federal government that do not live, work, or go to school any longer or for possibly as long as this possible matter has been occurring.

Sincerely

Robert M. Samson



10-5-19